

<p style="text-align: right;">Page 134</p> <p>1 that were in 2005, what did Intrax do with that 2 software? 3 A We resold it. 4 Q Let's turn to page 348 and 349. 5 My first question is about 349. What is 6 that? 7 A Looks like a purchase order for Office XP 8 Standard and looks like the product was a retail CD 9 with a key code. 10 Q Okay. And what does that -- the SWW number 11 mean? 12 A That's internal part number. 13 Q And when you say "internal part number," 14 Intrax created that number? 15 A Correct. 16 Q And what does that number refer to? 17 A It refers to the part number of Microsoft 18 Office XP Standard, retail CD with key code. 19 Q There's a signature at the bottom of 20 page 349. 21 Do you recognize that signature? 22 A That's my signature. 23 Q Let's turn to 350 and 351. 24 What is 350? 25 A Looks like an invoice for Office 2003</p>	<p style="text-align: right;">Page 136</p> <p>1 Small Business Server 2003 bundle. 2 Q So it's Microsoft -- 3 MR. DILLICK: Hold on. 4 (Attorney-client conference.) 5 MR. DILLICK: Go ahead. 6 BY MR. ROLLER: 7 Q So the code SWW12429 refers to Microsoft 8 Small Business Server 2003 bundled with a GE optical 9 mouse? 10 A Yes. 11 Q And do you know whether that would be a 12 Student Media software? 13 A It says NFR, but it doesn't say Student 14 Media, so I can't 100 percent say for sure. 15 Q Do you know if you ever -- if Intrax ever 16 purchased or ever acquired promo packs for Server 17 2003 For Small Business? 18 A We have acquired NFR Server 2003s. 19 Q Do you know whether any of that NFR Server 20 2003 were in promo packs? 21 MR. DILLICK: What do you mean by "promo 22 pack"? 23 THE WITNESS: I don't know. 24 MR. DILLICK: What do you mean by "promo"? 25 MR. ROLLER: Mr. Mak said it's software</p>
<p style="text-align: right;">Page 135</p> <p>1 Student Media. 2 Q If you received an invoice -- if Intrax 3 received an invoice like this one, does that mean 4 that Intrax actually received that software? 5 A Yes, especially if it says "Paid." I would 6 say if it says "Paid," Jeremy -- you know how it's 7 stamped "Paid"? 8 Q And 351, is that also an invoice for Office 9 2003 Student Media? 10 A Yes. 11 Q Let's turn to 352 and 353, and I'd like to 12 look at 353 first. 13 There's a code SWW12421. 14 Do you see that? 15 A Yes. 16 Q And that's for a GE wireless optical mouse 17 with Microsoft Office 2003 Standard? 18 A Mm-hmm. 19 Q And does 352 indicate that you -- that 20 Intrax received that software from Technology 21 Enterprises? 22 A Yes. 23 Q Back to 353, SWW12429, what does that code 24 refer to? 25 A GE wireless optical mouse with Microsoft</p>	<p style="text-align: right;">Page 137</p> <p>1 that Intrax gives away. 2 MR. DILLICK: He indicated some promo 3 product was given away, and he testified some was 4 sold, so what are you talking about? 5 MR. ROLLER: Can you look at what Mr. Mak 6 said about promo packs, please. 7 Q Mr. Mak, if you look at 352, which 8 refers -- and there are 17 units of Server 2003 For 9 Small Business Server NFR CD media sets. 10 Could that be Student Media software? 11 A Are you asking for my opinion? 12 Q I'm asking if it's possible that that could 13 refer to Student Media software? 14 A It's possible. 15 Q Okay. What else could it refer to? 16 A It could be referred to as NFR product that 17 doesn't have "Student Media" stamped on it. 18 Q And what NFR product would not have 19 "Student Media" stamped on it that is Server 2003 For 20 Small Business? 21 A I've seen that product in a 22 promotional-type package almost like that, and it 23 looks just like the retail disk, and the only thing 24 it says is "Not For Resale." 25 Q Okay. Did --</p>

35 (Pages 134 to 137)

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1 A And that product is generally given away at  
2 seminars or you can find that product through Ingram  
3 Micro.

4 Q Did Intrax ever buy Microsoft Server 2003  
5 For Small Business promo packs?

6 A Yes.

7 Q Let's look at --

8 (Attorney-client conference.)

9 THE WITNESS: When I say "promo pack,"  
10 especially for NFR product, that's a term that I use  
11 that defines NFR product that either you can --  
12 that's given away as promotional or is being bought  
13 through Ingram Micro or through a distributor.

14 BY MR. ROLLER:

15 Q Could something that you refer to as promo  
16 pack be Student Media?

17 A No.

18 Q Okay. Looking at 353, is that your  
19 signature at the bottom right?

20 A Yes.

21 Q And under "Buyer," "MM" is listed?

22 A Yes.

23 Q Under a purchase order, whenever "MM" is  
24 listed, does that mean the record order was placed by  
25 you?

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1 A I would say a good portion of the time, but  
2 I did have other people place those orders for me at  
3 times.

4 Q Would those people be authorized to put  
5 "MM" in the "Buyer" slot?

6 A Yes.

7 Q Who gave them that authorization?

8 A I did.

9 Q Okay. Let's turn to 354.  
10 What is 354?

11 A It's an invoice for Office 2003 Standard  
12 Student Media and WordPerfect.

13 Q 355, is that also an invoice for Office  
14 2003 Student Media software?

15 A Correct.

16 Q The invoice indicates that Intrax paid \$46  
17 per unit; is that right?

18 A Correct.

19 Q Do you recall what Intrax sold that  
20 software for?

21 A Not off the top of my head.

22 Q Do you have an estimate?

23 A I would probably say 10 to \$20 more than  
24 what it's listed as.

25 Q Can you obtain that information?

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1 A Yes.

2 Q Could you have obtained information  
3 regarding the prices at which Intrax sold Microsoft  
4 Student Media software in September or October of  
5 2007?

6 MR. DILLICK: Wait a second, wait a second.  
7 Are you asking him if he has information within his  
8 custody or control as opposed to Intrax's custody and  
9 control?

10 MR. ROLLER: I'm asking whether he could  
11 have obtained the information.

12 MR. DILLICK: And I'm going to object in  
13 that you are not -- you are -- you should be  
14 distinguishing between material under the custody and  
15 control of Intrax and material under the custody and  
16 control of Mike Mak as an individual.

17 MR. ROLLER: If you want to do that when we  
18 are done, you can do that.

19 Q My question is: Could you have obtained  
20 that information regarding the prices at which Intrax  
21 sold Microsoft Student Media software in October or  
22 September of 2007? Could you have gotten that  
23 information then?

24 A Only as an employee of Intrax, I could.

25 Q Could you as the president of Intrax?

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1 A Excuse me?

2 Q Could you as the president of Intrax?

3 A As the president of Intrax, I had access to  
4 that information.

5 Q Okay. And as a board member of Intrax?

6 A Correct.

7 Q So you could have obtained that  
8 information?

9 MR. DILLICK: No, he already answered the  
10 question.

11 Don't answer it again.

12 MR. ROLLER: Are you instructing him not to  
13 answer?

14 MR. DILLICK: Yeah.

15 BY MR. ROLLER:

16 Q Let's turn to 356.

17 Can you tell me what that is?

18 A It says "Office XP Standard NFR CD in  
19 sleeve of key code."

20 Q Could this have been Microsoft Student  
21 Media software?

22 A It doesn't say Student Media.

23 Q Could it have been Student Media software?

24 A I'm not sure.

25 Q Why are you not sure?

36 (Pages 138 to 141)

<p style="text-align: right;">Page 142</p> <p>1 A Because, generally, if it's Student Media 2 product, Jim would type in "Student Media" on the 3 invoice. 4 Q Okay. Let's look at 357, Office 2003 5 Standard NFR Student CD. 6 Is that Student Media? 7 A That is Student Media. 8 Q And is the purchase order at 358 -- does 9 that correspond with the invoice at 357? 10 A Looks like it. 11 Q And is that your signature at the bottom of 12 358? 13 A Yes. 14 Q Turn to 359, please. 15 Office 2003 NFR Student Standard CD, is 16 that Student Media? 17 A Yes. 18 Q Do you see that a purchase order number is 19 written in in the box on that 359? 20 A Yes. We don't have three-digit PO numbers, 21 just for your information. 22 Q So do you know why there would be a 23 three-digit purchase order number there? 24 A I don't know. I don't know if that was 25 written by us or written by NBC.</p>	<p style="text-align: right;">Page 144</p> <p>1 Q Now, please turn to 365. 2 Purchase order number is handwritten in 3 that invoice as 3822. 4 A Okay. 5 Q Do you know why it was handwritten? 6 A I have no clue. 7 Q If there was a purchase order 3822, should 8 it have been in Intrax's records? 9 A We may not have had a hard copy of it, 10 which is why we did not photocopy it. It may have 11 only been in a digital form. 12 Q And when you and your accountant gathered 13 the Microsoft invoices, did you or your accountant 14 also look at the digital records or only the 15 hard-copy records? 16 A We were in a time crunch, so we only 17 gathered all the documents that was easily 18 gatherable. The digital copies are a lot more 19 difficult to gather, which is why we haven't turned 20 them over yet. 21 Q So there may be digital invoices that are 22 not reflected in the paper invoices that weren't 23 turned over? 24 A No. All the invoices are turned over. 25 Q I'm sorry, purchase orders.</p>
<p style="text-align: right;">Page 143</p> <p>1 Q Let's turn to 362, please, and 363. 2 My first question is: On 363, there's a 3 code, ACC10841. 4 What is that ACC code? 5 A That's the product code for Logitech 6 Cordless Keyboard and Mouse for a Microsoft Office XP 7 Standard, Student Media bundle. 8 Q What was the last part? 9 MR. DILLICK: "Student Media bundle." 10 BY MR. ROLLER: 11 Q How do you know it's Student Media bundle? 12 A Because the invoice itself says Student 13 Media -- or no, I'm sorry. Let me correct myself. 14 It's an NFR bundle. It does not say Student Media. 15 I'm sorry. That was my mistake. 16 Q And is it possible that the software that 17 accompanied 362 was Student Media? 18 A It's possible, but it's not likely because 19 Jim -- like I said, if it's Student Media, he will 20 always put "Student Media" on the invoice. 21 Q Okay. 22 A He's very detailed. 23 Q And at the bottom of 363, is that your 24 signature? 25 A Yes.</p>	<p style="text-align: right;">Page 145</p> <p>1 There may be digital purchase orders that 2 are not reflected in the paper purchase orders that 3 were produced? 4 A Possibly. 5 Q Okay. I would like you to turn to 500, 6 please. 7 MR. DILLICK: One second. 8 Off the record for a second. 9 (Recess taken from 1:22 to 1:23 p.m.) 10 BY MR. ROLLER: 11 Q 500, please. 12 Can you tell me what this is, Mr. Mak? 13 A It says "Microsoft Office XP Standard." 14 Q And what -- is this an invoice to Surplus 15 Computers? 16 A Yes, it is. 17 Q From whom? 18 A Globe 2000. 19 Q Do you know whether this was for Student 20 Media software? 21 A I do not know. 22 Q Okay. Do you see where, in the middle of 23 the page, there's a name Mike and it's circled? 24 A Yes. 25 Q Do you know why that name is there?</p>

37 (Pages 142 to 145)

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1 A Because I probably called and placed an  
2 order for the product.  
3 Q Okay. Please turn to 501 and 502.  
4 At 502, there's a code, SWW12430.  
5 A Mm-hmm.  
6 Q What does that code refer to?  
7 A Student Media.  
8 Q For Microsoft Office 2003 Standard?  
9 A Yes.  
10 Q So if we see the code 12430, that means it  
11 was Student Media?  
12 A Possibly. In this situation it was.  
13 Q How do you know it was Student Media in  
14 this situation?  
15 A Because I'm cross-referencing the -- I'm  
16 cross-referencing the invoice 5040.  
17 Q 501?  
18 A No. I'm cross -- yeah, cross-referencing  
19 the document 501.  
20 Q Right.  
21 Please turn to page 503.  
22 Is this an invoice from Globe 2000 to  
23 Surplus Computers for 30 units of Microsoft Office XP  
24 Standard?  
25 A Yes.

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1 Q Do you know whether this was Student Media?  
2 A I have no idea.  
3 Q And do you know why the name Mike is above  
4 the description?  
5 A Because I probably called and placed a  
6 purchase order for it.  
7 (Attorney-client conference.)  
8 BY MR. ROLLER:  
9 Q Let's turn to 618 and 619, please.  
10 On the bottom of page 619, that is your  
11 signature?  
12 A Yes, it is.  
13 Q And does the invoice at 618 indicate that  
14 in response to the purchase order at 619, Technology  
15 Enterprises shipped 300 units of Office 2003 Standard  
16 Student Media?  
17 A Yes.  
18 Q Let's turn to 621.  
19 Does that indicate that Technology  
20 Enterprises shipped 350 units of Office 2003 Student  
21 Media to Intrax?  
22 A Yes.  
23 Q Okay. And I'd like to go to 174 and 175,  
24 please, and let's first look at 175.  
25 The first line of that purchase order

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1 says -- there's a code, SWW12250.  
2 Do you know what that 12250 refers to?  
3 A Looking at it exactly, I'm not 100 percent  
4 sure.  
5 Q Well, does the invoice at 174 indicate what  
6 was shipped in response to the purchase order at 175?  
7 A It seems like it appears there's a  
8 correlation there.  
9 Q Okay. And what does the invoice at 174  
10 reflect that St Cyberlink sent Intrax?  
11 A Looks like it's a Windows XP manual with  
12 the product key.  
13 Q And why do you say that?  
14 A Because that's what it says on the St  
15 Cyberlink's invoice.  
16 Q And you are reading where it says,  
17 "Software bundle within XP Home book with product key  
18 only, system pull name imprinted green"?  
19 A Correct.  
20 Q What does "system pull" mean?  
21 A I don't know.  
22 Q What does "name imprinted" mean?  
23 A I'm not exactly sure.  
24 Q Do you know why they would state the color  
25 green?

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1 A Because XP Home manuals are green.  
2 Q Why would a manual cost \$45?  
3 A I don't know exactly.  
4 Q Okay. And at the bottom -- well, below the  
5 series of numbers in the middle of 174, it says,  
6 "System product ID only. It is not a software or  
7 license to use the product."  
8 Does that mean there was no software with  
9 this XP Home book with product key?  
10 A I'm not sure. I mean, this is four years  
11 ago almost, so I don't -- I don't remember any  
12 specific transactions, Jeremy.  
13 Q What did Intrax do with the XP Home books  
14 with product key?  
15 A I do not remember.  
16 MR. DILLICK: Wait. I'll object in that  
17 there's no proof from this that those products were  
18 actually received. It looks like the quantity is  
19 open, as I'm reading it.  
20 THE WITNESS: This is the purchase order as  
21 printed out. When I print out this invoice --  
22 MR. DILLICK: Hold on.  
23 (Attorney-client conference.)  
24 BY MR. ROLLER:  
25 Q Do you see on 174 there's a stamp that says

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1 "Paid"?  
2 A Yes.  
3 Q Would that stamp be present if the products  
4 listed on this invoice were not received?  
5 A No, unless there was a mistake.  
6 Q At 175, is that your signature at the  
7 bottom right?  
8 A Yes.  
9 Q Listed is Windows XP Pro COA.  
10 What is a COA?  
11 A Certificate of Authenticity.  
12 Q Does this purchase order reflect that  
13 Intrax was purchasing a 20 XP Pro Certificates of  
14 Authenticity?  
15 A Well, it was part of the bundle. I mean,  
16 I'm just assuming. I don't remember this  
17 transaction, Jeremy, at all.  
18 Q Is there anything here that makes you think  
19 that the COA was received with software?  
20 A You know, I don't remember, Jeremy.  
21 Q Is there anything that makes you think --  
22 anything that you see here that makes you think the  
23 software was -- the COA was received with software?  
24 A It's possible.  
25 Q What makes it possible?

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1 A Because it doesn't say "No Software."  
2 Q Let's look at 174, and in the bottom, it  
3 says, "System product ID only. It is not a software  
4 or license to use the product."  
5 Is there anywhere on this invoice that  
6 indicates that the products that accompanied the  
7 invoice included Microsoft Windows XP software?  
8 A It doesn't say software. I mean, it says  
9 "software bundle," so it's sort of misleading.  
10 Software bundle implies that software is included;  
11 correct?  
12 Q Well, then it says, "Windows XP Home book  
13 with product key only."  
14 Would it say "product key only" if --  
15 A That's why I said I'm unsure, Jeremy.  
16 Q In the number --  
17 A I don't know why they would call it a  
18 software bundle if there's no software included.  
19 Q "Msg, prd, key," what does that mean?  
20 A I mean, I can only guess based on what the  
21 message says.  
22 MR. DILLICK: Don't guess.  
23 BY MR. ROLLER:  
24 Q Okay. Let's turn to page 180.  
25 The second item listed is "Microsoft

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1 Windows XP Home COA/License."  
2 What does that mean?  
3 A It means the same thing as what it meant on  
4 the previous one.  
5 Q What does it mean here? What was Intrax  
6 ordering?  
7 A I mean, it says "software bundle," so I'm  
8 assuming we ordered software bundle.  
9 Q At page 180, what was Intrax ordering when  
10 it refers to 45 units of Microsoft Windows XP Home  
11 COA?  
12 A You know what, Jeremy? Like I said, I'm  
13 not sure. This is four years ago.  
14 Q Look right above that, "Microsoft Windows  
15 XP Home with mouse."  
16 Do you see that?  
17 A Correct.  
18 Q And how much did Intrax pay for that  
19 product per unit?  
20 A \$70.  
21 Q Okay. What did it pay for what's described  
22 as Windows XP Home COA?  
23 A 45.  
24 Q Did you actually -- did Intrax actually buy  
25 mice from St Cyberlink?

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1 A It's possible.  
2 Q Does the --  
3 MR. DILLICK: Hold on. Hold on.  
4 (Attorney-client conference.)  
5 MR. DILLICK: Go ahead.  
6 BY MR. ROLLER:  
7 Q Do you have anything to correct after you  
8 have conferenced?  
9 A I'm confused because it says Windows XP  
10 Home edition, Home book, so if you look at it that  
11 way, it's \$78 divided by three.  
12 Q Do you know why St Cyberlink would state,  
13 at 179, System product ID only, is not software or  
14 license to use the product?  
15 A I have no idea.  
16 Q Looks like we will have to take some  
17 discovery from St Cyberlink.  
18 A I don't look at --  
19 MR. DILLICK: Hold on. There's no  
20 question.  
21 THE WITNESS: Okay.  
22 BY MR. ROLLER:  
23 Q Do you know when Intrax would have sold the  
24 products that are -- that it received with the  
25 invoice 178 and 179?

39 (Pages 150 to 153)

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1 MR. DILLICK: When they would have sold it?  
2 MR. ROLLER: Yes.  
3 THE WITNESS: Probably about the same time  
4 it was purchased.  
5 MR. DILLICK: Don't guess.  
6 BY MR. ROLLER:  
7 Q Do you know when?  
8 A September of '04.  
9 Q Do you know when it would -- why do you say  
10 that?  
11 A Because that's what the date of the invoice  
12 is, September.  
13 Q And do you always sell your products the  
14 same month you buy them?  
15 A Generally. We don't keep stock too much.  
16 We try to turn inventory as fast as possible.  
17 Q Okay. How about at 174; when did you sell  
18 the products that were received with the invoice at  
19 174?  
20 A I'm assuming September of '04.  
21 Q So you sell all your products within a  
22 month of getting them?  
23 A We try to.  
24 Q Do you sell all your products within a  
25 month of getting them?

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1 A No.  
2 MR. DILLICK: Jeremy, how are you doing for  
3 time?  
4 MR. ROLLER: Not well.  
5 MR. DILLICK: Okay. It's -- by my watch at  
6 least, it's almost a quarter till. Could you get to  
7 a place where you can -- there's no chance you are  
8 going to get done by 2:00?  
9 MR. ROLLER: No. I'm just trying to do is  
10 figure out what I can do to get summary judgment and  
11 not do this again. I think I'm almost there.  
12 MR. DILLICK: It's good for me.  
13 MR. ROLLER: But it's not good for you to  
14 say, "Hey, we got to do this again Friday after my  
15 trial, or do an extension."  
16 Q Page 211.  
17 Is that your signature at the bottom of  
18 page 211?  
19 A Yes.  
20 Q Page 227, is that your signature at the  
21 bottom of 227?  
22 A Yes.  
23 Q Let's look at 139.  
24 Is that your signature at the bottom of  
25 139?

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1 A Yes.  
2 Q Do you recall how much you were paid from  
3 Intrax in the year 2005?  
4 A No. Maybe about \$100,000 or so.  
5 Q Do you recall how much you were paid in  
6 2006?  
7 A About the same.  
8 Q And in 2007?  
9 A Probably less than that.  
10 Q Why less than in 2007?  
11 A It was not a good year for us.  
12 Q And were you paid -- how were you paid?  
13 A By salary.  
14 Q And was it was a monthly payment?  
15 A It was monthly. There was some months I  
16 didn't receive a paycheck, though.  
17 Q Why?  
18 A Because we weren't doing very well. The  
19 company wasn't doing very well.  
20 Q Is it fair to say that if you sold more  
21 software you would do better?  
22 MR. DILLICK: Wait.  
23 Objection; vague. What do you mean if he  
24 wasn't selling software? Intrax was selling  
25 software.

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1 BY MR. ROLLER:  
2 Q If Intrax sold more software, would you  
3 possibly earn more money?  
4 A If the company made more money, I would  
5 make more --  
6 MR. DILLICK: Wait.  
7 When you say would he make more money, he  
8 told you he's on salary.  
9 BY MR. ROLLER:  
10 Q Would you be paid more money if Intrax made  
11 more money?  
12 MR. DILLICK: Are you asking if his salary  
13 would go up?  
14 MR. ROLLER: I'm asking that question.  
15 Q Would you be paid more money if Intrax  
16 would earn more money?  
17 MR. DILLICK: Objection; vague.  
18 BY MR. ROLLER:  
19 Q Answer the question.  
20 A Would I be paid more money if the company  
21 was made -- if the company made more money?  
22 MR. DILLICK: From month to month, year to  
23 year?  
24 THE WITNESS: From month to month.  
25 MR. DILLICK: Would he get a raise? What

40 (Pages 154 to 157)

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1 are you asking?  
2 BY MR. ROLLER:  
3 Q Answer the question.  
4 A The question is sort of vague. That's why  
5 I'm trying to figure out what you are trying to ask  
6 me.  
7 Q If -- well, you testified in 2007 you made  
8 less money; correct?  
9 A Correct.  
10 Q Why?  
11 A Because the company didn't do as well  
12 because of the economic conditions, and the value  
13 wasn't doing as well.  
14 MR. DILLICK: What he also testified was,  
15 in some months, he didn't get his salary.  
16 BY MR. ROLLER:  
17 Q So if the company does not do well, you  
18 earn less money?  
19 A What I did was I voluntarily didn't take a  
20 salary in order to keep the company going.  
21 Q So if the company sells fewer products and  
22 is not generating as much revenue, you are worse off  
23 financially?  
24 A Correct.  
25 Q Have you ever been paid any money from

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1 Intrax that's not part of a regular salary?  
2 A Only bonuses if we did really well the  
3 whole year.  
4 Q So if Intrax did well in a year, you would  
5 get a bonus?  
6 A Correct, but I haven't gotten a bonus in  
7 many years.  
8 Q When was the last time you got a bonus?  
9 A I would have to ask. A long time. It's  
10 been a long time.  
11 Q When you last got a bonus, how much was it?  
12 A I don't think it was more than maybe  
13 \$20,000, \$10,000.  
14 Q And who determined how much the bonus was?  
15 A The board of directors -- me and my  
16 brother.  
17 Q Do you own a home?  
18 A Yes.  
19 Q Do you owe money on the mortgage on your  
20 home?  
21 A Yes.  
22 Q Do you know about how much?  
23 A Probably about 550,000 or so.  
24 Q Do you know the value of your home?  
25 A Well, my friend just bought a home down the

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1 street for me (sic) for 495-.  
2 Q Do you know the value of your home?  
3 A I do not know the value of the home.  
4 Q Do you own any other real property?  
5 A No.  
6 Q Do you own any cars?  
7 A No.  
8 Q Do you lease cars?  
9 A No.  
10 Q How did you --  
11 A No, actually, I have one -- I'm sorry. I  
12 do own a car. I own a 2000 Ford Focus.  
13 Q Any other cars?  
14 A I have a van that's leased through the  
15 company that we use for deliveries and stuff.  
16 MR. DILLICK: He's not asking about company  
17 vehicles.  
18 THE WITNESS: Okay.  
19 BY MR. ROLLER:  
20 Q Do you, personally, own anything else worth  
21 more than \$5,000?  
22 A No.  
23 Q Aside from your attorney, Mr. Dillick, and  
24 your bankruptcy counsel, Mr. Bauer -- is it  
25 Mr. Bauer?

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1 A Yes.  
2 Q Aside from them, have you discussed this  
3 lawsuit with anybody?  
4 MR. DILLICK: Other than he's already  
5 described?  
6 MR. ROLLER: Yes, other than he's already  
7 described.  
8 THE WITNESS: Just friends.  
9 BY MR. ROLLER:  
10 Q Who?  
11 A Just casual friends.  
12 Q Can you name names?  
13 A My wife, I mean, is one of them, you know.  
14 MR. DILLICK: That's -- for the record, he  
15 did not mean his wife is just a casual friend.  
16 THE WITNESS: Business acquaintances.  
17 BY MR. ROLLER:  
18 Q Who?  
19 MR. DILLICK: It's 10 minutes to 2:00 and  
20 we are running out of time.  
21 THE WITNESS: Russ. I forgot Russ's last  
22 name. I talked about it with Russ. I've talked  
23 about it with some of my employees.  
24 MR. ROLLER: We are out of time given our  
25 schedules. We are going to leave the deposition

41 (Pages 158 to 161)

Michael Mak

June 25, 2008

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1 open. There's simply material that I didn't get to  
 2 given our time constraints. I don't know if the 45  
 3 minutes we were late would have made a difference.  
 4 We would have been able to cover more, obviously.

5 We also have a court order in the  
 6 bankruptcy case directing that Intrax provide its  
 7 sales records. We still have not gotten those, and  
 8 that's another reason I need to leave this deposition  
 9 open.

10 THE WITNESS: No, I -- I'm sorry.

11 MR. ROLLER: So I think we can go off the  
 12 record for now, and we may need to come back at some  
 13 point.

14 MR. DILLICK: Thanks, Jeremy.  
 15 (Deposition adjourned at 1:49 p.m.)

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Page 164

1 I, the undersigned, a Certified Shorthand  
 2 Reporter of the State of California, do hereby  
 3 certify:

4 That the foregoing proceedings were taken  
 5 before me at the time and place herein set forth;  
 6 that any witnesses in the foregoing proceedings,  
 7 prior to testifying, were duly sworn; that a record  
 8 of the proceedings was made by me using machine  
 9 shorthand which was thereafter transcribed under my  
 10 direction; that the foregoing transcript is a true  
 11 record of the testimony given.

12 Further, that if the foregoing pertains to  
 13 the original transcript of a deposition in a Federal  
 14 Case, before completion of the proceedings, a review  
 15 of the transcript [ ] was [ ] was not requested.

16 I further certify I am neither financially  
 17 interested in the action nor a relative or employee  
 18 of any attorney or party to this action.

19 IN WITNESS WHEREOF, I have this date  
 20 subscribed my name.

21

22 Dated:

23

24

25

RACHEL FERRIER  
 CSR NO. 6948

Page 163

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1 I, MICHAEL MAK, do hereby declare under  
 2 penalty of perjury that I have read the foregoing  
 3 transcript; that I have made any corrections as  
 4 appear noted, in ink, initialed by me; that my  
 5 testimony as contained herein, as corrected,  
 6 is true and correct.

7 EXECUTED this day of

8 2008, at

9 (City)

10 (State)

11 MICHAEL MAK

42 (Pages 162 to 164)

Esquire Deposition Services 505 Sansome Street Suite 502 San Francisco, C.A. 94111  
 Phone (415) 288-4280 1-800-770-3363 Fax (415) 288-4286

Exhibit 1 Page 42 ab70e296-8977-45b5-96dd-d48e47d50c5e

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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

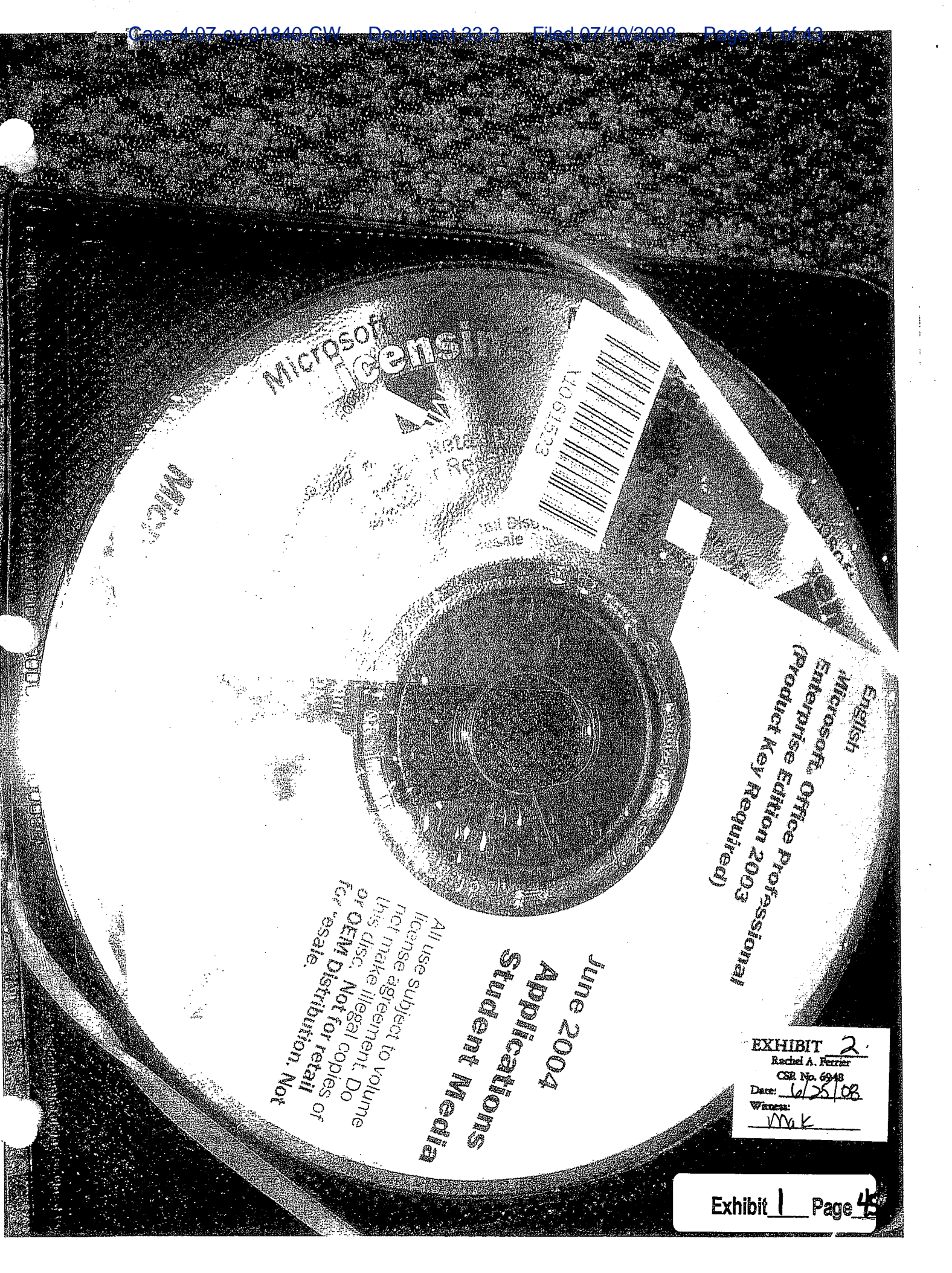
IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: July 2, 2008

  
RACHEL FERRIER  
CSR No. 6948

Deposition of Michael Mak  
June 25, 2008

EXHIBIT 2



English  
Microsoft Office Professional  
Enterprise Edition 2003  
(Product Key Required)

June 2004  
Applications  
Student Media  
All use subject to volume  
license agreement. Do  
not make illegal copies of  
or OEM Distribution. Not  
for retail sale.

EXHIBIT 2  
Rachel A. Ferrer  
CSB No. 6948  
Date: 6/25/08  
Witness: MK



Deposition of Michael Mak  
June 25, 2008

EXHIBIT 3

(Pages of Exhibit 3 cited in Microsoft's  
Memorandum in Support of  
Motion for Summary Judgment)



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monthly commissions!!

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Free Newsletter!

SWW13455 - Microsoft Windows XP Professional x64 Edition (NFR)

Specials, Tech Tips  
& much more!

## Hardware

\*\*\*Liquidation Sale!  
\*\*Liquidation Sale!  
-Flash Liquidation!  
-Liquidation Sale  
-Liquidation Sale!  
Barebones  
Blank Media  
Cables  
CD/DVD Drives  
Components  
Computer Cases  
Consumer Electronics  
Cooling Fans  
CPU  
Desktop Computers  
Digital Cameras  
Flash Memory  
Hard Disk Drives  
Input Devices  
Laptop Accessories  
Laptops / Notebooks  
Memory  
Modems  
Monitors  
Motherboards  
Movies & Music  
MP3 Audio  
Multimedia  
Networking  
Office Equipment  
PDAs  
Plasma Displays  
Power Management  
Printer Supplies  
Printers  
Projectors  
Removable Storage  
Satellite TV  
Scanners  
Security &  
Surveillance  
Servers  
Video Cards  
Wireless Networking

## Software

Business  
Children's  
Computing Systems  
Education  
Games  
Graphics  
Home Life  
Linux  
Macintosh  
Utilities



Condition: New

Warranty: 30 Days

Please Note: This is a fully functional original Microsoft Student Media CD with installation key code and CD. On the CD it states you must legally own a copy of their license to use this CD. This software installs, fully activatable & registerable like the Commercial Versions you find in the retail stores. This item is shipped in an environmentally friendly packaging without the box.

This version DOES NOT come in a retail box. It comes with a CD & Authentic Keycode for activation and registration.

Description: Windows XP Professional x64 Edition is designed to meet the demands of customers who require large amounts of memory and floating point performance in areas such as mechanical design and analysis, 3-D animation, video editing and composition, and scientific and high-performance computing applications.

Note: Please verify hardware compatibility before purchasing.

\$299.99 \$27.99 On Sale!

Add to Cart

Return

Enter

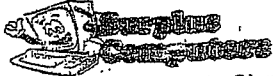
Exhibit 1 Page 48

MS-NTRX-BR-000013

Deposition of Michael Mak  
June 25, 2008

EXHIBIT 4

(Pages of Exhibit 4 cited in Microsoft's  
Memorandum in Support of  
Motion for Summary Judgment)



1600 Duane Ave, Santa Clara, Ca 95054  
Phone: 408-327-0420 Fax: 408-327-0113

# Purchase Order 3404

Order Date 12/03/04

## Intrax Group, Inc.

Dbx Surplus Computers  
1600 Duane Ave  
Santa Clara, CA 95054 USA  
Telephone: 408/327-0111

### Vendor:

MICROPLUS INTL TECH  
48521 WARM SPRINGS BLVD., #301  
FREMONT, CA 94539  
USA

### Ship To:

Main Warehouse

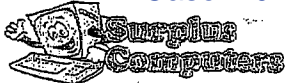
Vendor: MIT1		Vendor Fax Number:		Vendor Telephone Number: 510/440-8588		Ship Via:		Terms: C.O.D.	
Buyer:		Confirming To:		Remarks:		Freight:		Tax: N	
MM	Qty. Ordered	Unit of Measure	Vendor Item Number	Our Item Number	Unit Price	Extended Price			
Line	Qty. Received	Qty. Open	Item Description		Date Received				
1	30	30	SWW12249 Microsoft Windows XP Home COA/ Lic.	SWW12249	48.00 12/03/04	1440.00			
2	10	10	SWW12250 Microsoft Windows XP Pro COA/ Lic.	SWW12250	90.00 12/03/04	900.00			
<p>San DEC-03-04</p>									
NonTaxable Subtotal						2340			
Taxable Subtotal						0			
Tax						0			
Total Order						2340			

Page 1

Print Date: 12/03/04 1:49 PM

Vendor Original

Authorized Signature



1600 Duane Ave, Santa Clara, Ca 95054  
Phone: 408-327-0420 Fax: 408-327-0113

# Purchase Order 3048

Order Date 09/22/04

## Intrax Group, Inc.

Dba Surplus Computers  
1600 Duane Ave  
Santa Clara, CA 95054 USA  
Telephone: 408/327-0111

## Vendor:

ST CYBERLINK INTERNATIONAL  
2362 Qume Drive, Suite E  
San Jose, CA 95134  
USA

## Ship To:

Main Warehouse

Vendor	Vendor Fax Number	Vendor Telephone Number	Ship Via	F.O.B.	Terms	
CIN	408/526-9609	408/526-9600			COD Post Dated CK 15	
Buyer	Confirming To	Remarks	Freight	Tax		
MM					N	
Line	Qty. Ordered	Unit of Measure	Your Item Number	Our Item Number	Unit Price	Extended Price
	Qty. Received	Qty. Open	Item Description	Date Required		
1	20		SWW12250	SWW12250	45.00	900.00
	0	20	Microsoft Windows XP Pro COA/ Lic.	09/22/04		
2	17		SWW12309	SWW12309	10.75	182.75
	0	17	Roxio Toast 6 Lite Promo (OEM)	09/22/04		
3	100		SWW12310	SWW12310	6.00	600.00
	0	100	Roxio Easy CD 7.0 Basic-DVD Edition (OEM)	09/22/04		
NonTaxable Subtotal						1682.75
Taxable Subtotal						0.00
Tax						0.00
Total Order						1682.75

Page 1

Print Date: 09/22/04 5:09 PM

Vendor Original

Authorized Signature

Exhibit 1 Page 51 MS-NTRX-BR-000175



1600 Duane Ave, Santa Clara, Ca 95054  
Phone: 408-327-0420 Fax: 408-327-0113

Intrax Group, Inc.  
Dba Surplus Computers  
1600 Duane Ave  
Santa Clara, CA 95054 USA  
Telephone: 408/327-0111

Vendor:

ST CYBERLINK INTERNATIONAL  
2362 Qume Drive, Suite E  
San Jose, CA 95134  
USA

# Purchase Order 2765

Order Date 07/21/04

Ship To:

Main Warehouse

20737

Vendor	Vendor Tax Number	Vendor Telephone Number	Ship Via	FOB	Terms	
CIN	408/526-9609	408/526-9600	✓		COD Post Dated CK 15	
Buyer	Contracting Co.	Remarks	Freight	Tax		
MM					N	
Line	Qty. Ordered	Unit of Measure	Vendor Item Number	Our Item Number	Unit Price	Extended Price
	Qty. Received	Qty. Open	Item Description	Date Required		
1	40		SWW12250	SWW12250	68.00	2720.00
	0	40	Microsoft Windows XP Pro COA/ Lic.	07/21/04		
2	40		SWW12249	SWW12249	44.00	1760.00
	0	40	Microsoft Windows XP Home COA/ Lic.	07/21/04		
NonTaxable Subtotal						4480.00
Taxable Subtotal						0.00
Tax						0.00
Total Order						4480.00

Page 1

Print Date: 07/21/04 3:02 PM

Vendor Original

Authorized Signature

Exhibit 1 Page 52

MS-NTRX-BR-000211

**Purchase Order 2651**

Order Date 06/24/04

Intrax Group, Inc.  
 Dba Surplus Computers  
 1600 Duane Ave  
 Santa Clara, CA 95054 USA  
 Telephone: 408/327-0111

**Vendor:**

ST CYBERLINK INTERNATIONAL  
 2362 Qume Drive, Suite E  
 San Jose, CA 95134  
 USA

**Ship To:**

Main Warehouse

Vendor	Vendor Tax Number	Vendor Telephone Number	Ship Via	F.O.B.	Terms	
CIN	408/526-9609	408/526-9600			COD Post Dated CK 15	
Buyer	Confirming to	Remarks	Freight	MM	N	
Line	Qty. Ordered	Unit of Measure	Your Item Number	Our Item Number	Unit Price	Extended Price
	Qty. Received	Qty. Open	Item Description	Date Required		
1	100		SWW12198 SWW12198	25.00	2500.00	
	0	100	Microsoft Works Suite 2004 CD(OEM)	06/24/04		
2	5		SWW12249 SWW12249	45.00	225.00	
	0	5	Microsoft Windows XP Home COA/ Lic.	06/24/04		
3	5		SWW12250 SWW12250	70.00	350.00	
	0	5	Microsoft Windows XP Pro COA/ Lic.	06/24/04		
						</

Page 1

Print Date: 06/24/04 3:55 PM

Vendor Original: (Reprinted)

Authorized Signature

## TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

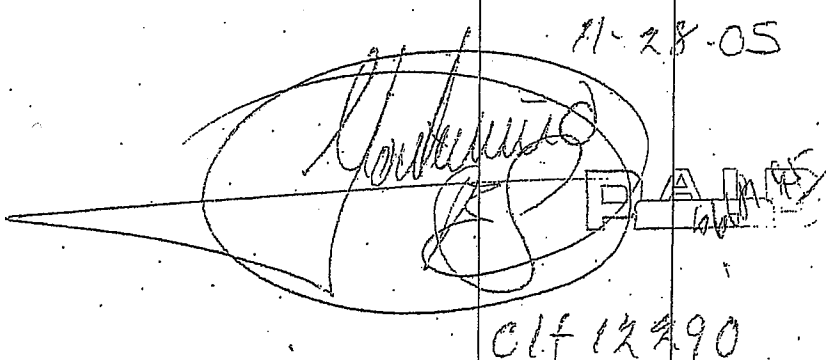
NOV 28 2005

## Invoice

Date	Invoice #
11/25/2005	12042818

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	COD	JC	11/25/2005	Federal Express	Q	
Quantity	Item Code	Description			Price Each	Amount
148	02003STUDENT	Office 2003 Standard Student Media NFR CD Media sets SHIPPING CHARGES TRACKING NUMBER 7203-3960-3987			45.00	6,660.00
1	SHIPPING				21.95	21.95
1	FEDX				0.00	0.00
<div>11-28-05</div> <div></div> <div>CLF 12290</div>						
Total					\$6,681.95	

TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

NOV 10 2005

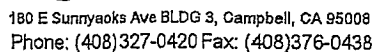
## Invoice

Date	Invoice #
11/7/2005	12042783

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
4455	COD	JC	11/7/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
396	02003STUDENT	Office 2003 Standard Student Media NFR CD Media sets OFFICE XP STANDARD B/W NFR CD IN SLEEVE WITH KEY ALL ORIGINAL SHIPPING CHARGES TRACKING NUMBER 7203-3960-2774			41.00	16,236.00
80	0XPSTD				41.00	1,230.00
1	SHIPPING				75.74	75.74
1	FEDX				0.00	0.00
<div>11-09-05</div> <div>CREATED</div> <div>61754.74</div>						
Total					\$17,541.74	



**Intrax Group, Inc.**  
**Dbasurplus Computers**  
 27 Bonaventura Dr.  
 San Jose, CA 95134 USA  
 Telephone: 408/327-0111

## Order Date 11/07/05

**Vendor:**

Technology Enterprises (MBC)  
20 Saint George Place  
Palm Beach Gardens, FL 33418

**Ship To:**

## Main Warehouse

**THIS IS A CLOSED PURCHASE ORDER**

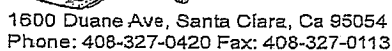
Page 1

Vendor Original (Reprinted)

Authorized Signature

Exhibit 1 Page 56

MS-NTRX-BR-000347



Order Date 11/07/05

**Intrax Group, Inc.**  
**Dbasurplus Computers**  
**1600 Duane Ave**  
**Santa Clara, CA 95054 USA**  
**Telephone: 408/327-0111**

Vendor:

Technology Enterprises (MBC)  
20 Saint George Place  
Palm Beach Gardens, FL 33418

Ship To:

### Main Warehouse

*[Signature]*

Page 1

Print Date: 11/07/05 1:40 PM

Vendor Original

Authorized Signature

Exhibit 1 Page 57

MS-NTRX-BR-000349

## TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

## Invoice

NOV 08 2005

Date	Invoice #
10/28/2005	12042768

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B:	Project
	COD	JC	10/28/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
164	02003STUDENT	Office 2003 Standard Student Media NFR CD Media sets			46.00	7,544.00
1	SHIPPING	SHIPPING CHARGES			35.50	35.50
1	FEDX	TRACKING NUMBER 7203-3960-2400			0.00	0.00
					11-02-05 PAID CH 1252044	
Total					\$7,579.50	

11-02-05  
PAID  
CH 1252044

TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
 PALM BEACH GARDENS, FL 33418  
 801-824-3500

OCT 17 2005

**Invoice**

Date	Invoice #
10/12/2005	12042738

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	COD	JC	10/12/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
110 1	02003STUDENT SHIPPING	Office 2003 Standard Student Media NFR CD Media sets SHIPPING CHARGES			46.00 29.73	5,060.00 29.73
				10-17-05 CH 13996 <b>PAID</b> 65		
				<b>Total</b>		
				\$5,089.73		

TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

SEP 22 2005

## Invoice

Date	Invoice #
9/20/2005	12042697

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
11201	Due on receipt	JC	9/20/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
400	02003STUDENT	Office 2003 Standard Student Media NFR CD Media sets			46.00	18,400.00
17	MISC	Server 2003 for Small Business Server NFR CD Media sets			75.00	1,275.00
1	SHIPPING	SHIPPING CHARGES			110.56	110.56
1	FEDX	TRACKING NUMBER #7203-3960-0223			0.00	0.00

09-21-05

CIT 13856

PAID

11/18/05



1600 Duane Ave, Santa Clara, Ca 95054  
Phone: 408-327-0420 Fax: 408-327-0113

## Purchase Order 4291

Order Date 09/20/05

Intrax Group, Inc.  
Dba Surplus Computers  
1600 Duane Ave  
Santa Clara, CA 95054 USA  
Telephone: 408/327-0111

## Vendor:

MBC Enterprises (TECHNOLOGY ENT.)  
3899 Parkview Drive  
Salt Lake, UT 84124  
USA

## Ship To:

Main Warehouse

Vendor	Vendor Fax Number	Vendor Telephone Number	Ship Via	FOB	Terms
MBC		801/509-8882			C.O.D.
Buyer	Continuing No.	Remarks	Freight		Tax
MM					N
Line	Qty. Ordered	Unit of Measure	Our Item Number	Unit Price	Extended Price
	Qty. Received	Qty. Open	Item Description	Date Required	
1	400		SWW12421 SWW12421	46.00	18400.00
	0	400	GE Wireless Optical Mouse w/ MS Office 2003 STD (NFR)	09/20/05	
2	17		SWW12429 SWW12429	75.00	1275.00
	0	17	GE Wireless Optical Mouse w/ Mirosoft Small Bus Server	09/20/05	
NonTaxable Subtotal					19675.00
Taxable Subtotal					0.00
Tax					0.00
Total Order					19675.00

Page 1

Print Date: 09/21/05 10:55 AM

Vendor Original (Reprinted)

Authorized Signature

Exhibit 1 Page 61

MS-NTRX-BR-000353

TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

**Invoice**

Date	Invoice #
9/13/2005	12042680

SEP 14 2005

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on receipt	JC	9/13/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
300	02003STUDENT	Office 2003 Standard Student Media NFR CD Media sets			46.00	13,800.00
1	SHIPPING	SHIPPING CHARGES			93.81	93.81
500	MISC	COREL WORDPERFECT V12 (DROP SHIPPED BY ONGOING RESULTS)			3.00	1,500.00
1	SHIPPING	SHIPPING CHARGES (COREL DROP SHIP FREIGHT)			96.00	96.00
667-0531						
PAID 9/13/05 \$15,489.81						
Total \$15,489.81						

667-0531

PAID

9/13/05

615489.81

Exhibit 1

Page 62

MS-NTRX-BR-000354

TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

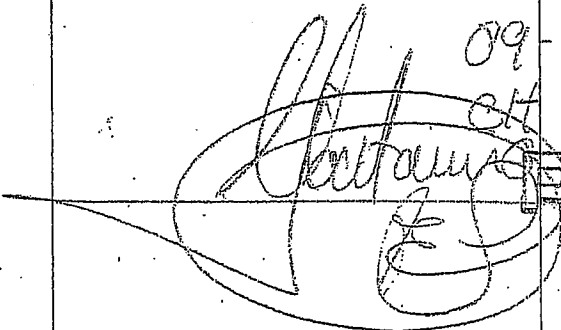
**Invoice**

SEP 08 2005

Date	Invoice #
9/7/2005	12042674

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on receipt	JC	9/7/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
297	O2003RETAIL	OFFICE 2003 STANDARD NFR STUDENT MEDIA			46.00	13,662.00
1	SHIPPING	CD DISK SETS SHIPPING CHARGES			86.29	86.29
<div>09-08-05 CH 11757  <b>PAID</b></div>						
Total					\$13,748.29	

TECHNOLOGY ENTERPRISES LLC

SEP 08 2005

**Invoice**

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

Date	Invoice #
8/31/2005	12042655

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on receipt	JC	8/31/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
40	0XPSTD	OFFICE XP STANDARD NFR CD IN SLEAVE WITH KEY ALL ORIGINAL SHIPPING CHARGES			37.50	1,500.00
1	SHIPPING				16.46	16.46
<div>③</div> <div>Eun 9-6-05</div> <div>PAID 9-6-05</div> <div>W566 deb</div>						
Total					\$1,516.46	

## TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

## Invoice

Date	Invoice #
8/17/2005	12042627

AUG 22 2005

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
4185	Due on receipt	JC	8/17/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
200	OXSTD	OFFICE 2003 STANDARD NFR STUDENT CD IN SLEEVE WITH KEY ALL ORIGINAL			46.00	9,200.00
1	SHIPPING	SHIPPING CHARGES			28.39	28.39



1600 Duane Ave, Santa Clara, Ca 95054  
Phone: 408-327-0420 Fax: 408-327-0113

# Purchase Order 4185

Order Date 08/19/05

Intrax Group, Inc.  
Dba Surplus Computers  
1600 Duane Ave  
Santa Clara, CA 95054 USA  
Telephone: 408/327-0111

**Vendor:**

Technology Enterprises (MBC)  
3899 Parkview Drive  
Salt Lake City, UT 84124

**Ship To:**

Main Warehouse

Vendor	Vendor Fax Number	Vendor Telephone Number	Ship Via	FOB	Terms
TEEN84					C.O.D.
Buyer	Confirming To	Remarks	Freight	Tax	
MM					N
Qty Ordered	Unit of Measure	Your Item Number	Our Item Number	Unit Price	Extended Price
Qty Received	Qty Open	Item Description	Date Required		
1	200	SWW12421	SWW12421	45.00	9000.00
0	200	GE Wireless Optical Mouse w/ MS Office 2003 STD (NFR)	08/19/05		
NonTaxable Subtotal					9000.00
Taxable Subtotal					0.00
Tax					0.00
Total Order					9000.00

Page 1

Print Date: 08/19/05 3:36 PM

Vendor Original

Authorized Signature

Exhibit 1 Page 66 MS-NTRX-BR-000358

TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

AUG 15 2005

**Invoice**

Date	Invoice #
8/10/2005	12042611

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
407	Due on receipt	JC		Federal Express		
Quantity	Item Code	Description			Price Each	Amount
100	EXPSTD	OFFICE 2003 NFR STUDENT STANDARD CD IN SLEEVE WITH KEY ALL ORIGINAL SHIPPING CHARGES			45.00	4,500.00
1	SHIPPING				46.83	46.83
					08-12-05	
					CITIZENSHIP 11571	

## TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

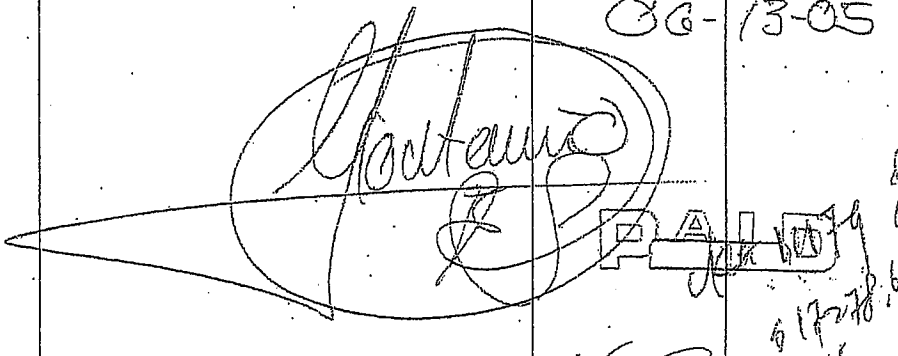
JUN 18 2005

## Invoice

Date	Invoice #
6/9/2005	12042494

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
3982	Net 1	JC	6/9/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
500	OXSTD	OFFICE XP STANDARD NFR CD IN SLEAVE WITH KEY ALL ORIGINAL SHIPPING CHARGES			34.50	17,250.00
1	SHIPPING				28.66	28.66
<div>CG-13-05</div> <div></div> <div>P.O. # 3982</div>						
Total					\$17,278.66	

Order Date 06/13/05

Main Warehouse

Authorized Signature

TECHNOLOGY ENTERPRISES LLC  
 20 SAINT GEORGE PALCE  
 PALM BEACH GARDENS, FL 33418  
 801-824-3500

APR 12 2005

Invoice

MAY 10 2005

Date	Invoice #
4/7/2005	12042393

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
3022	Net 30	JC	4/7/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
600	MISC SHIPPING	OFFICE XP STD NFR SHIPPING CHARGES TO BE SOLD ON CONSIGNMENT; PAYMENT NOT DUE UNTIL AFTER POINT OF SALE			31.00 35.39	18,600.00 35.39
<div>04-11-05 Fedex 2 Box</div> <div>PAID 4/18/05 PAID 4/18/05 4/18/05</div>						
Total					\$18,635.39	

GLOBE 2000 CORP.  
1920 LAFAYETTE ST.  
SUITE K  
SANTA CLARA, CA 95050

JUN 22 2006

# Invoice

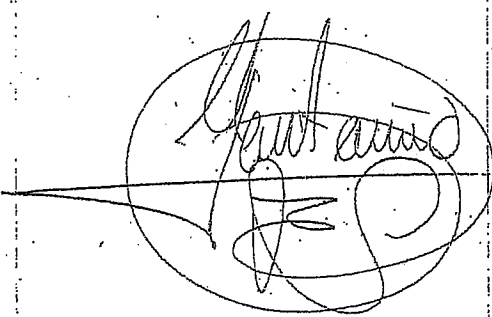
Phone #	408-588-4649
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Date 6/22/2006  
Invoice # 5050

**Bill To**  
SURPLUS COMPUTERS  
STEVE FONG  
ATTN: STEVE FONG  
GL2094

**Ship To**  
SURPLUS COMPUTERS  
1600 DUANE AVE.  
SANTA CLARA, CA 95054  
TEL: 408-327-0111  
FAX: 408-327-0113

Rep T P.O. # mike Terms COMPANY CHECK Ship Date 6/22/2006 Ship Via DELIVERY FOB

Item	Description	Qty	Price	Amount
MS OFF.XP STD	MS OFF. XP STD.	60	78.00	4,680.00
 <p>06-22-06 CIT 1366 PAID</p>				

Total	\$4,680.00
Payments/Credits	\$0.00
Balance Due	\$4,680.00

Fax #
408-588-4654

GLOBE 2000 CORP.  
1920 LAFAYETTE ST.  
SUITE K  
SANTA CLARA, CA 95050

JUN 14 2006

# Invoice

Phone #

408-588-4649

Date 6/13/2006

Invoice # 5040

**Bill To**

SURPLUS COMPUTERS  
STEVE FONG  
ATTN: STEVE FONG  
GL2094

**Ship To**

SURPLUS COMPUTERS  
1600 DUANE AVE.  
SANTA CLARA, CA 95054  
TEL: 408-327-0111  
FAX: 408-327-0113

Rep

P.O. #

Terms

Ship Date

Ship Via

FOB

T

5053

COMPANY CHECK 6/13/2006

Item	Description	Qty	Price	Amount
MS OFF.XP STD	MS OFF. XP STD.	14	78.00	3,120.00
ms-off-studen me	MS-OFF-2003 STUDEN MEDIA	1	4,275.00	4,275.00

*[Handwritten Signature]*

06-14-06

CH PAID

13599

\$ 4,275.00

4275

Total

\$7,395.00

Payments/Credits

\$0.00

Balance Due

\$7,395.00

Fax #

408-588-4654

GLOBE 2000 CORP.  
1820 LAFAYETTE ST.  
SUITE K  
SANTA CLARA, CA 95050

MAY 18 2006

Invoice

Phone #

408-588-4649

Date 5/18/2006  
Invoice # 5024

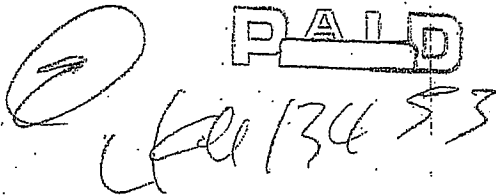
**Bill To**

SURPLUS COMPUTERS  
STEVE FONG  
ATTN: STEVE FONG  
GL2094

**Ship To**

SURPLUS COMPUTERS  
1600 DUANE AVE.  
SANTA CLARA, CA 95054  
TEL: 408-327-0111  
FAX: 408-327-0113

Rep T P.O. # MIKE Terms COMPANY CHECK Ship Date 5/18/2006 Ship Via DELIVERY FOB

Item	Description	Qty	Price	Amount
MS OFF.XP STD	MS-OFF.XP STD.	30	78.00	2,340.00
<p><b>PAID</b>  </p>				

Total	\$2,340.00
Payments/Credits	\$0.00
Balance Due	\$2,340.00

Fax #

408-588-4654

TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

APR 27 2006

## Invoice

Date	Invoice #
4/25/2006	12043147

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	COD 4/23	JC	4/25/2006	Federal Express		
Quantity	Item Code	Description	Price Each	Amount		
300	02003STUDENT	Office 2003 Standard Student Media NFR CD Media sets	44.50	13,350.00		
1	SHIPPING	SHIPPING CHARGES	51.76	51.76		
1	PEDX	TRACKING NUMBER 7295-2990-1594	0.00	0.00		
				<b>Total</b>	\$13,401.76	

04-26-06

PAID



1600 Duane Ave, Santa Clara, Ca 95054  
Phone: 408-327-0420 Fax: 408-327-0113

# Purchase Order 4913

Order Date 04/25/06

Intrax Group, Inc.  
Dba Surplus Computers  
1600 Duane Ave  
Santa Clara, CA 95054 USA  
Telephone: 408/327-0111

## Vendor:

Technology Enterprises (MBC)  
20 Saint George Place  
Palm Beach Gardens, FL 33418

## Ship To:

Main Warehouse

Vendor	Vendor Fax Number	Vendor Telephone Number	Ship Via	Terms		
TEEN84				C.O.D.		
Buyer	Continuing To	Remarks	Freight	Intrax		
MM				N		
Line	Qty Ordered	Unit of Measure	Your Item Number	Our Item Number	Unit Price	Extended Price
	Qty Received	Qty Open	Item Description	Date Required		
1	300		SWW12430	SWW12430	44.50	13350.00
	0	300	Microsoft Office 2003 STD (NFR)	04/25/06		
<p>NonTaxable Subtotal 13350.00</p> <p>Taxable Subtotal 0.00</p> <p>Tax 0.00</p> <p>Total Order 13350.00</p>						

Page 1

Print Date: 04/25/06 12:43 PM

Vendor Original

Authorized Signature

## TECHNOLOGY ENTERPRISES LLC

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

APR 26 2005

## Invoice

Date	Invoice #
4/20/2005	12042428

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Net 1	JC	4/20/2005	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
467	OXPSTD	OFFICE XP STANDARD NFR CD IN SLEAVE WITH KEY ALL ORIGINAL SHIPPING CHARGES			32.00	14,944.00
	SHIPPING				25.51	25.51
<div>PAID 04-22-05</div> <div>\$14,969.51 6/13/05</div>						
Total					\$14,969.51	

TECHNOLOGY ENTERPRISES LLC

MAR 21 2006

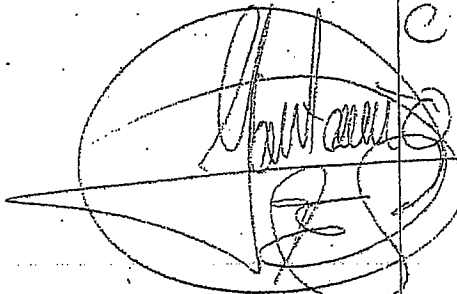
Invoice

20 SAINT GEORGE PALCE  
PALM BEACH GARDENS, FL 33418  
801-824-3500

Date	Invoice #
3/17/2006	12043065

Bill To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

Ship To
INTRAX 1600 DUANE AVENUE SANTA CLARA, CA 95054 (408)667-0531

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	COD	JC	3/17/2006	Federal Express		
Quantity	Item Code	Description			Price Each	Amount
350	02003STUDENT	Office 2003 Standard Student Media NFR CD Media sets			52.00	18,200.00
1	SHIPPING	SHIPPING CHARGES			105.28	105.28
1	FEDX	TRACKING NUMBER 7203-3961-1996			0.00	0.00
<div>03-20-06</div> <div>CH 13011</div> <div></div> <div>PAID</div>						
Total					\$18,305.28	

03-20-06

CH 13012

PAID